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FUJIAN JINHUA INTEGRATED CIRCUIT CO., LTD.

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

UNITED MICROELECTRONICS
CORPORATION, et al.,

Defendants.

CASE NO.: 3:18-cr-00465-MMC

**DECLARATION OF MATTHEW E.
SLOAN IN SUPPORT OF
DEFENDANT FUJIAN JINHUA
INTEGRATED CIRCUIT CO., LTD.'S
MOTION *IN LIMINE* NO. 6 TO
EXCLUDE HEARSAY STATEMENTS
OF PURPORTED CO-
CONSPIRATORS AND PURPORTED
JINHUA EMPLOYEES**

Judge: The Honorable Maxine M. Chesney
Trial Date: February 14, 2022

Hearing Date: January 18, 2022
Hearing Time: 10:00 a.m.

DECLARATION OF MATTHEW E. SLOAN

I, Matthew E. Sloan declare and state as follows:

1. I am a partner at Skadden, Arps, Slate, Meagher & Flom LLP, counsel of record for Defendant Fujian Jinhua Integrated Circuit Co., Ltd. ("Jinhua"). I am an attorney licensed to practice law in the State of California and before this Court. I submit this declaration in support of Jinhua's Motion *In Limine* No. 6 for an Order To Exclude Hearsay Statements Of Purported Co-Conspirators and Purported Jinhua Employees (the "Motion"). This declaration is based upon my personal knowledge, and, if called to testify, I could and would do so competently as to the matters set forth herein.

2. Attached hereto as Exhibit A is a true and correct copy of the Crim. L.R. 16-1(c) Notice sent on November 1, 2021, by the Government to Jinhua (the "Local Rule 16-1(c) Notice"). Because the government designated certain portions of Exhibit A as "Confidential," Jinhua must file portions of it under seal pursuant to the Protective Order. Accordingly, Jinhua has filed a motion to file this exhibit under seal concurrently herewith, and attaches a partially redacted version of the Local Rule 16-1(c) Notice hereto.

3. Attached hereto as Exhibit B is a true and correct copy of the Technology Cooperation Agreement between Jinhua and United Microelectronic Corp. Because the government designated Exhibit B as "Confidential," Jinhua must file the document under seal pursuant to the Protective Order. Accordingly, Jinhua has filed a motion to file this exhibit under seal concurrently herewith.

4. Attached hereto as Exhibit C is a true and correct copy of a convenience translation of the Technology Cooperation Agreement found in Exhibit B. Because the government designated Exhibit B, on which this translation is based, as "Confidential," Jinhua must file this document under seal pursuant to the Protective Order. Accordingly, Jinhua has filed a motion to file this exhibit under seal concurrently herewith.

5. Attached hereto as Exhibit D is a true and correct copy of the expert disclosure of Professor Jiang Ying.

6. Attached hereto as Exhibit E is a true and correct copy of a December 19, 2018 interrogation record of an interrogation of Neil Lee by the Taiwan Ministry of Justice Investigation

1 Bureau (“MIJB”). Because the government has designated Exhibit E as “Confidential,” Jinhua must
 2 file the document under seal pursuant to the Protective Order. Accordingly, Jinhua has filed a motion
 3 to file this exhibit under seal concurrently herewith.

4 7. Attached hereto as Exhibit F is a true and correct copy of a convenience translation
 5 of the interrogation record found in Exhibit E. Because the government designated Exhibit E, on
 6 which this translation is based, as “Confidential,” Jinhua must file this document under seal pursuant
 7 to the Protective Order. Accordingly, Jinhua has filed a motion to file this exhibit under seal
 8 concurrently herewith.

9 8. Attached hereto as Exhibit G is a true and correct copy of a February 15, 2017
 10 interrogation record of an interrogation of LT Rong by the MIJB.

11 9. Attached hereto as Exhibit H is a true and correct copy of a convenience translation
 12 of the interrogation record found in Exhibit G.

13 10. Attached hereto as Exhibit I is a true and correct copy of a June 9, 2017 interrogation
 14 record of an interrogation of Kenny Wang by the MIJB. Because the government has designated
 15 Exhibit I as “Confidential,” Jinhua must file the document under seal pursuant to the Protective
 16 Order. Accordingly, Jinhua has filed a motion to file this exhibit under seal concurrently herewith.

17 11. Attached hereto as Exhibit J is a true and correct copy of a convenience translation of
 18 the interrogation record found in Exhibit I. Because the government designated Exhibit J, on which
 19 this translation is based, as “Confidential,” Jinhua must file this document under seal pursuant to the
 20 Protective Order. Accordingly, Jinhua has filed a motion to file this exhibit under seal concurrently
 21 herewith.

22 12. Attached hereto as Exhibit K is a true and correct copy a February 14, 2017
 23 interrogation record of an interrogation of JT Ho by the MIJB.

24 13. Attached hereto as Exhibit L is a true and correct copy of a convenience translation
 25 of the interrogation record found in Exhibit K.

26 14. Attached hereto as Exhibit M is a true and correct copy of a contract between Jinhua
 27 and JT Ho.

